

REMARKS

This responds to the Decision on Appeal dated November 13, 2009. Claims 13-21 remain withdrawn and no new claims are added. Claims 1, 4, 7, and 8 are amended; claim 2 is cancelled, without prejudice to or disclaimer by the Applicants; as a result, claims 1 and 3-12 are now pending in this application.

Example support for the amendments may be found throughout the original filed specification. By way of example only, the learned Examiner's attention is directed to the original filed specification page 3, lines 14-15 and 26-27, page 4, lines 23-24, and page 7, lines 24-26 of the specification.

This amendment and response is being filed concurrently with a Request for Continued Examination (RCE) along with the appropriate fee, as such entry of the amendments is appropriate.

§ 101 Rejection of the Claims

In the Decision on Appeal, the § 101 rejections of claims 1 and 3-12 were reversed by the Board of Patent Appeals and Interferences. Thus, the § 101 rejections of pending claims 1 and 3-12 are no longer present.

§ 102 and 103 Rejection of the Claims

In the Decision on Appeal, the Board of Patent Appeals and Interferences asserted that Reese disclosed a "virtual community" and that the difference in the claims and Reese were merely rooted in content and did not disclose functional descriptive material. Accordingly, independent claim 1 has been amended to comply with the Board's decision and demonstrate a functional difference between the "virtual community" recited in independent claim 1 and the "virtual community" of Reese. Similarly, independent claim 1 has been amended to further clarify "financial product" and to demonstrate a functional difference between the "financial product" recited in independent claim 1 and the "financial product" of Reese.

For the above stated reasons, Applicants submit that independent claim 1 is patentable under 35 U.S.C. § 102(b) over Reese. Claims 3-12, each of which depends directly or indirectly

from independent claim 1, are likewise patentable for at least the same reasons set forth for

independent claim 1. Accordingly, the rejection of pending claims 1 and 3-12 are improper and should be withdrawn.

Serial Number:09/599,051

Dkt: 2043.197US1

Filing Date: June 21, 2000

Title: COMMUNITY BASED FINANCIAL PRODUCT

CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone the undersigned at (513) 942-0224 to facilitate prosecution of this application.

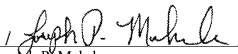
If necessary, please charge any additional fees or credit overpayment to Deposit Account 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(408) 278-4042

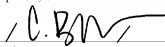
Date 12 January 2010

By


Joseph P. Mehrle
Reg. No. 45,535

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 12th day of January, 2010.

Chris Bartl
Name


Signature